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DEPARTMENT OF THE ARMY
NEW ENGLAND DIVISION, CORPS OF ENGINEERS
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REPLY TO
ATTENTION OF
Regulatory Branch
NEDOD-R

December 19, 1984

Mr. Gerard Sotolongo
Project Officer
Waste Response and
Compliance Branch
U.S. Environmental Protection Agency
JFK Federal Building, Region I
Boston, Massachusetts 02203

Dear Mr. Sotolongo:

This in response to your request for our comments on the New Bedford Superfund Site Draft Feasibility Study of Remedial Action Alternatives pertaining to a Corps permit action.

As Mr. Randall of my staff indicated to you at the November 2, 1984, meeting, additional information concerning the existing aquatic habitat would be required as well as effects on that habitat caused by the various alternatives and possible methods of mitigating those effects. Because of the 404(b)(1) guidelines if any disposal of dredged or fill material will occur within a water of the United States you must clearly demonstrate and document that other practicable alternatives would not have less adverse impact on the aquatic ecosystem unless they have other significant adverse environmental consequences. We found that documentation lacking in the draft Feasibility Study. Specific comments are attached. The following paragraphs summarize those comments.

For the Hydraulic Control alternative we need to know where specifically in Buzzards Bay the cover material will be obtained and the impacts of that operation. Some testing of the groundwater should be performed to document the effect on groundwater and the harbor or bay it discharges into, since the contaminated material is not isolated from the groundwater. Additional testing and analysis should be performed to determine the stability of the control structures and the Coggeshall Street Bridge. Finally because of differences in monitoring required among the alternatives, specific information and costs should be included. As part of any permit we would require a specific monitoring plan.

Alternatives involving dredging raise questions about release of the PCB laden oily film, treatment of the effluent, and whether dewatering may release contaminantes to the air. Additional testing, analysis and documentation of effects and control measures should be provided for these three items. Because of these concerns you should reconsider using a closed clamshell dredge working from the deeper areas into shallow areas.

In addition the unlined in-harbor disposal site raises questions about the movement of contaminants in the groundwater and the ultimate discharge of the plume, if any. Additional tests and analysis should be performed to document the effects. Alternative locations in the harbor should be discussed and assessed. The upland disposal alternative may cause different effects because of the need and method used to dewater the dredged material first at the dredging site and then at the disposal site. These effects and control measures should now be fully explored and documented. It would be helpful to identify some preferred upland disposal sites so a site specific analysis could be performed. Questions with the in-harbor cells include the movement of contaminantes in the groundwater and the type and cost of monitoring. Also, additional information on subsurface conditions and on the control and effect of effluent from the dredge discharge pipe should be provided.

The incineration option requires documentation of the amount, nature and ultimate disposal of the residue. Although the need for an outside fuel source was identified the costs and impacts should be more fully explained. Also, the additional dewatering required may result in releases to the air. This should be analyzed.

The disposal at a secure landfill alternatives, also, raises the question of effects of additional dewatering. Since requirements at the landfill may require additional costs to prepare the material, some testing should be performed to assess the likelihood of that need.

I hope these comments aid in assessing the alternatives and need for additional data in order to meet the requirements of the 404(b)(1) guidelines.

We have significant concern regarding your compliance with the National Environmental Policy Act. Problems associated with the use of this study as an EIS equivalent include its lack of adequate characterization of the environmental setting and historic, archaelogical resources; it's evident lack of documented coordination; and its apparently incomplete assessment of the environmental effects of the various alternatives available.

Sections 2.5.1 and 2.5.2 which characterize the terrestrial and aquatic biota in the study area are inadequate. For a study of this nature, merely citing a list of the species that are or probably are present in the various available habitats is insufficient. These sections should delineate and classify the habitats available showing where they were located and their extent. The vegetation existing in these areas should be listed and dominant species identified. Fauna should not merely be listed, but information on the overall size of the populations, population densities, etc. should also be included. All listings should include scientific as well as common names and the absence of threatened and endangered species should be documented by coordination with the U.S. Fish and Wildlife Service and the Naitonal Marine Fisheries Service.

The statement on p. 8-21 that no impacts on cultural resources will occur appears extremely premature. Examination of landmark lisings is generally indaequate for projects of this scale. Regulations for compliance with Section 106 of the National Historic Prevention Act (33 CFR 800) require Federal Agency coordination with the applicable State Historic Preservation Officer (SHPO). Cursory examination of the project location maps indicates high potential for presence of archaeological resources, we recommend early coordination with the Massachusetts Historical Commission (the SHPO for Massachusetts) to determine need and scope for any necessary studies.

A section documenting with what agencies preparation of this document was coordinated should be prepared and included.

The environmental effects of the various alternatives should be more fully explored. Examples of this need are cited in the specific comments section of this letter.

The need and requirements of the National Environmental Policy Act have not been fully addressed here since we are waiting for your detailed explanation of how your procedures comply with the act.

If you have any questions please contact Mr. Alan Randall of my staff at 617-647-8499.

Sincerely,

William F. Lawless, P.E.
Chief, Regulatory Branch
Operations Division

Specific Comments on New Bedford
Feasibility Study

1. Figure 2-1 does not show wetlands on the east side to be in Hot Spot Area yet the text says that the wetlands are.

2. The heavy metal contamination may affect the availability of remedial measures. Further discussion of the problem seems appropriate on pages 3-4, 3-13, 3-26 and 3-29. Representive testing in the entire area should be performed and discussed in text.

3. The mud flats and wetlands should be discussed in detail including their extent, location, vegetation present and use. The soil and plants should be tested to determine extent of contamination (page 3-8).

4. On page 6-18 the single embankment channel was selected yet the hydraulic control alternative describes a double embankment channel.

5. Details of embankment around the Coggeshall Street Bridge should be provided and the structure and bridge analyzed for stability.

6. The location of the clean material to be taken from Buzzards Bay must be shown. Impacts of that operation should be identified including testing of the material to insure compliance with the 404(b)(1) guidelines.

7. Other locations or configurations of the in-harbor containment site should be investigated and discussed according to the 404(b)(1) guidelines. Can the wetlands be avoided or the encroachment limited?

8. The contamination of wetland sediments and plants are not documented (page 8-3).

9. Testing and analysis should be provided to determine the extent and effect of the release of the oily film during dredging operation. A detail plan of control should be developed. If one cannot be developed then you may want to reconsider the dredging method.

10. How will the containment area remain saturated? The area above the existing groundwater table should over time dry. Additional tests and documentation that the movement of groundwater through the area will not result in any impacts are required (page 8-10).

11. Where will the sludge from the water treatment plant be disposed? Will it remove any heavy metals present? Where will the plant be located? Will it be on filled land? (page 8-11 and 12)

12. It is likely we would require restoration of the wetlands under any of the alternatives. Therefore, it may be an additional cost factor instead of an environmental impact. (page 8-12)

13. Can the problem of airborne contaminants be easily controlled? (page 8-12 and 8-13).

14. Will the in-harbor disposal site result in drying out of the material causing potential mobilization of metals in a populated area? Can this be controlled? (page 8-16)

15. Can the mobilization during placement be controlled? (page 8-17)

16. If it is likely that the containment area will be expanded to accomodate additional material from the harbor area then we should analyze entire area, not just the area for the hot spot disposal.

17. Monitoring plans need to be detailed and assessed inorder to determine feasibility and allow review.

18. Should discuss other regulations and Executive Orders (404(b)(1), Exec. Order 11988, etc.) that may impact on the overall acceptability of any option (page 9-4).

19. Tests should be performed to demonstrate that the material will settle quickly in the subsurface cells. The methods to control this dispersion should be detailed (Adden. page 2-25).

20. Subsurface investigation for contaminates soil conditions and utilities should be performed to establish feasibility of option. (Adden. page 2-30)

21. Additional documentation is needed to show that incineration is not feasible. Questions were raised about the residue being hazardous waste, need for fuel and problems with incineration of heavy metals but no specifics were provided. (Adden. page 3-6, 7, 8, & 9)